

REMARKS

In response to the final Office Action dated August 19, 2004, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims are amended as required by 37 C.F.R. § 1.121 and that the claims as presented are in condition for allowance.

Claims 1-6, 8-9, and 11-20 were pending in the prior non-provisional application. Claims 1, 11-12, and 20 have been amended, leaving claims 1-6, 8-9, and 11-20 for consideration upon the entry of the amendment. This amendment is being submitted along with a Request for Continued Examination under 37 C.F.R. § 1.114 of the prior non-provisional application.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-6, 8-9, and 11-20

Claims 1-6, 8-9, and 11-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Henderson, US 6,327,363 (hereinafter "Henderson"). For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claim 1 has been amended to recite an interactive voice response system for pre-paid wireless services comprising: a peripheral device in communication with a mobile switching system, the mobile switching system capable of communicating with at least one wireless device, an IVR application on the peripheral device comprising a menu driven system adapted to receive information from a customer, an intelligent peripheral communicating with the peripheral device, wherein the intelligent peripheral plays voice

messages through a voice path to the mobile switching system, wherein the peripheral device directs the customer to interact with the IVR application and connects the intelligent peripheral with the mobile switching system when an IVR service for the customer is required, and wherein the menu driven system responds to the information received from the customer by reciting a rate plan that is the current rate plan and features of the customer, and wherein the rate plan is provided to the customer by the intelligent peripheral through the voice path, and wherein the wireless device automatically provides a mobile identification number to identify the wireless device.

Claim 1 is believed to be patentable over Henderson because Henderson does not disclose an interactive voice response system for pre-paid wireless services wherein the wireless device automatically provides a mobile identification number to identify the wireless device. Rather, Henderson discloses prompting the caller to enter a PIN, which is used to authenticate the caller. Claims 2-6, 8-9, and 11 depend from claim 1; thus, these claims are believed to be allowable due to their dependency on claim 1.

Claim 12 has been amended to recite a method for providing interactive voice responses for pre-paid wireless services comprising: communicating with a mobile switching system via a peripheral device, the mobile switching system being capable of communicating with at least one wireless device, receiving information from a customer via an IVR application on the peripheral device, wherein the IVR application comprises a menu driven system to receive the information, playing voice messages through a voice path to the mobile switching system via an intelligent peripheral that communicates with the peripheral device, wherein the peripheral device directs the customer to interact with the IVR application and connects the intelligent peripheral with the mobile switching system when an IVR service for the customer is required, and wherein the menu driven system responds to the information received from the customer by reciting a rate plan that is the current rate plan and features of the customer, and wherein the rate plan is provided to the customer by the intelligent peripheral through the voice pat, and wherein the wireless device automatically provides a mobile identification number to identify the wireless device.

Claim 12 is believed to be patentable over Henderson because Henderson does not disclose a method for providing interactive voice responses for pre-paid wireless

services wherein the wireless device automatically provides a mobile identification number to identify the wireless device. Rather, Henderson discloses prompting the caller to enter a PIN, which is used to authenticate the caller. Claims 13-20 depend from claim 12; thus, these claims are believed to be allowable due to their dependency on claim 12.

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

By: 

David A. Fox
Reg. No. 38,807
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
PTO Customer No. 36192

Date: December 20, 2004